

STATEMENT OF THE CLAIMS

1. (currently amended) A cap for a cut end of a nail, comprising:

- a) a lead-in tubular portion having an inner surface which defines a first inner diameter;
- b) an engagement tubular portion having an inner surface which defines a second inner diameter smaller than said first inner diameter, and an outer surface that defines an outer diameter that is at least ~~four~~ approximately five times a radial wall thickness of said cap at said engagement portion; and
- c) a closed end at a proximal end of said engagement portion,

wherein said cap is manufactured from a ~~plastic~~ radiopaque plastic material, and cap configured to be ~~pushed~~ placed over a cut end of a ~~stiff~~ an orthopedic nail by a surgeon and retained thereon by frictional engagement to isolate the cut end of the nail from the anatomy.

2. (original) A cap according to claim 1, wherein:

said plastic is resilient.

3. (currently amended) A cap according to claim 2, wherein:

said plastic is comprises polyurethane.

4. (previously presented) A cap according to claim 1, further comprising:
- d) an inner protuberance provided along said inner surface of said engagement portion, said inner protuberance defining a third inner diameter smaller than said second inner diameter.
5. (original) A cap according to claim 1, wherein:
- said lead-in portion is cylindrical.
6. (original) A cap according to claim 5, wherein:
- said engagement portion is cylindrical.
7. (original) A cap according to claim 6, wherein:
- said engagement portion is longer than said lead-in portion.
8. (original) A cap according to claim 1, wherein:
- said lead-in portion defines an inner diameter of approximately 0.080 – 0.092 inch.
9. (original) A cap according to claim 1, wherein:
- said engagement portion defines an inner diameter of approximately 0.070 – 0.084 inch.

10. (original) A cap according to claim 1, wherein:

said cap has a length of approximately 0.285 - 0.310 inch.

11. (currently amended) A cap for a cut end of a nail, comprising:

- a) a lead-in tubular portion having an inner surface which defines a first diameter;
- b) an engagement tubular portion having an inner surface which defines a second diameter smaller than said first diameter;
- c) an inner protuberance adapted to interfere with the nail when ~~pushed~~ placed on the nail so as to frictionally resist removal of the nail once the nail is ~~inserted into~~ within said cap, said protuberance provided along said inner surface of said engagement portion and directed substantially radially inward; and
- d) a closed end opposite said lead-in portion,

wherein said cap is manufactured from a radiopaque plastic material.

12. (canceled)

13. (original) A cap according to claim 11, wherein:

said inner protuberance is a ring.

14. (original) A cap according to claim 13, wherein:

said ring has a convex outer surface.

15. (previously presented) A cap according to claim 11, wherein:

said engagement portion has an inner surface defining a third diameter smaller than said second diameter, wherein said second diameter is provided proximal of said protuberance and said third diameter is provided distal of said protuberance.

16. (original) A cap according to claim 11, wherein:

said lead-in portion has an inner diameter of approximately 0.080 – 0.092 inch.

17. (original) A cap according to claim 11, wherein:

said engagement portion has an inner diameter of approximately 0.070 – 0.084 inch.

18. (original) A cap according to claim 11, wherein:

said cap has a length of approximately 0.285 - 0.310 inch.

19. (currently amended) A cap for a cut end of a nail, comprising:

a resilient plastic cylindrically tubular element including a radiopaque material having a closed end and an inner surface, said tubular element having a wall with a radial wall thickness, an outer diameter at least ~~four~~ approximately five times said radial wall thickness, an inner diameter sized to be close fitting to the nail when ~~pushed~~ placed on the nail, and including an inner protuberance provided along said inner surface which frictionally engages the nail when ~~pushed~~ placed on the nail.

20. (canceled)

21. (original) A combination orthopedic nail and cap therefor, comprising:

- a) a metal orthopedic nail having an end with a first diameter; and
- b) a cap provided over said end of said nail,

said cap including a lead-in portion having an inner surface which defines a second diameter larger than said first diameter such that said lead-in portion is spaced apart from said end of said nail by a clearance, an engagement portion having an inner surface which defines a third diameter approximating said first diameter such that said engagement portion is substantially in contact with said nail, and a closed end.

22. (original) A combination according to claim 21, wherein:

said end of said nail is a non-passivated cut end.

23. (currently amended) A combination according to claim 21, wherein:

said cap is manufactured from a plastic and a radiopaque material.

24. (original) A combination orthopedic nail and cap therefor, comprising:

- a) a metal orthopedic nail having a first diameter and a cut end; and
- b) a radiopaque cap provided over said cut end of said nail,

said cap including a plastic cylindrically tubular element having a closed end and an inner surface, said tubular element having an inner second diameter sized to be close fitting to the nail, a length at least approximately three times said second diameter.

25. – 26. (canceled)

27. (previously presented) A cap according to claim 1, wherein:

an outer diameter of said cap at said engagement portion is approximately at least six times a wall thickness of said cap at said engagement portion.

28. (previously presented) A cap according to claim 15, wherein:

said inner protuberance defines a fourth diameter, and said third diameter is larger than said fourth diameter.

29. (previously presented) A combination according to claim 24, wherein:

said cut end has an end diameter, and said cap defines an opening for receiving said cut end, said cap at said opening having an outer diameter that is greater than said an end diameter.